

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>FRED LEE WEBER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 4:20-CV-1304 PLC</b>
	)	
<b>KILOLO KIJAKAZI,</b>	)	
<b>Acting Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff’s petition to award attorney fees pursuant to the Equal Access Justice to Act (EAJA), 28 U.S.C. § 2412. Plaintiff requests an award of \$6,105.42, representing 29.8 hours of attorney work at a rate of \$204.88 per hour. [ECF No. 32] Plaintiff attaches an “Assignment of Federal Court EAJA Attorney Fee,” in which he assigned any court-awarded attorney fees to his attorney Traci L. Severs. [ECF No. 32-2]

Defendant filed a response to Plaintiff’s petition to award attorney fees, in which she states: “Defendant has no objection to Plaintiff’s request for attorney fees under the EAJA in the amount of **\$6,105.42.**” [ECF No. 33 (emphasis in original)] Defendant requests that the Court “enter an order specifically awarding Plaintiff attorney fees of **\$6,105.42.**” [*Id.* (emphasis in original)] She notes, however, that any award of attorney fees is subject to offset to satisfy any preexisting debt Plaintiff owes to the United States. See Astrue v. Ratliff, 560 U.S. 586 (2010).

After careful consideration,

**IT IS HEREBY ORDERED** that Plaintiff’s petition for award of attorney fees [ECF No. 32] is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff is awarded EAJA attorney fees in the amount of \$6,105.42, subject to offset for any preexisting debt that Plaintiff owes to the United States. After determining whether Plaintiff owes any debt to the United States that is subject to offset, Defendant is directed to pay the EAJA fees directly to Plaintiff's attorney.



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PATRICIA L. COHEN  
UNITED STATES MAGISTRATE JUDGE

Dated this 4th day of November, 2021